



State of New Jersey

DEPARTMENT OF HEALTH AND SENIOR SERVICES

OFFICE OF EMERGENCY MEDICAL SERVICES

PO BOX 360

TRENTON, N.J. 08625-0360

www.state.nj.us/health

JAMES E. MCGREEVEY
Governor

CLIFTON R. LACY, M.D.
Commissioner

April 8, 2002

Mr. James R. Davis

Re: **Notice of Summary Suspension:**
EMT-Basic Certification
Investigation Control #02-C-014

Dear Mr. Davis:

The New Jersey Department of Health and Senior Services (Department) is vested with the responsibility of carrying out the provisions of the Health Care Facilities Planning Act, N.J.S.A. 26:2H-1, et seq., which was enacted, in part, to ensure that all hospital and related health care services rendered in the State of New Jersey are of the highest quality. As defined at N.J.S.A. 26:2H-2b, health care services include any pre-hospital care rendered by basic life support providers. In furtherance of the objectives set forth in the statute, the Department has adopted regulations that govern the licensing of basic life support ambulances, as well as the training, certification and professional conduct of EMT-Basics. See, N.J.A.C. 8:40-1.1, et seq. and 8:40A-1.1, et seq.

On March 28, 2002, staff of this Department's Office of Emergency Medical Services (OEMS) learned that you were arrested and charged with Attempted Sexual Assault, Luring, Endangering the Welfare of a Child, and Possession of Child Pornography. OEMS confirmed these charges on April 2, 2002 with the Monmouth County Prosecutor's Office.

As the agency responsible for certifying EMT-Basics, the has an Department's obligation to ensure the health and safety of the public. If your continued certification as an EMT-Basic poses an immediate threat to the public health and safety, it is the Department's obligation to initiate proceedings to immediately suspend that certification. Specifically, N.J.A.C. 8:40A-9.5(c), in relevant part, states:

The Commissioner or his or her designee may summarily suspend an EMT certification where the continued certification of an individual poses an immediate threat to the health, safety or welfare of the public.

Because of the seriousness of the charges levied against you, the Department finds that your continued certification as an EMT-Basic constitutes an immediate threat to the health, safety, and welfare of the public. Therefore, your certification as an EMT-Basic is immediately suspended and shall remain suspended pending a full OEMS investigation into this matter. Please be advised that you may not, under any circumstance, act in the capacity of or perform the duties of an EMT-Basic in New Jersey during this period of suspension. You will be notified

when OEMS has completed its investigation into this matter, at which time you will be advised what action(s), if any, will be taken with respect to your EMT-Basic certification.

Pursuant to N.J.A.C. 8:40A-9.5(c), you have the right to appeal to the Commissioner of Health and Senior Services for an expedited hearing before the Office of Administrative Law to contest this summary suspension. If the summary suspension is upheld at the Office of Administrative Law, you have the right to apply for injunctive relief in the Superior Court of New Jersey. Your request for an expedited hearing on this matter must be submitted in writing and must be accompanied by a response to the charges contained herein. Please include the control number noted above on your correspondence, and forward your request to:

New Jersey Department of Health & Senior Services
Office of Legal & Regulatory Affairs
P.O. Box 360, Room 805
Trenton, NJ 08625-0360
Attn: Mrs. Carole Slimm

If you have any questions concerning this matter, please do not hesitate to contact Ms. Karen Halupke of my office at (609) 633-7777.

Sincerely,

James S. Blumenstock
Senior Assistant Commissioner
Public Health Protection and Prevention Programs

c: National Registry of EMTs
Ms. Susan Way, OEMS
Mrs. Carole Slimm L&RA
Ms. Halupke, OEMS
Mr. Dinetz, OEMS
Mr. Dougan, OEMS

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